

## OFFICIAL COUNCIL PROCEEDINGS

A regular meeting of the City Council of the City of Menomonie, Dunn County, Wisconsin, was held in open session on June 16, 2014, and called to order by Mayor Knaack at 7:00 p.m. in the City Council Chambers. The following members were present: Luther, Traxler, Sutherland, Brice, Riedel, Schwebs, Solberg, Cruz, Erdman and Mercil. Brown was absent.

MOTION was made by Cruz, seconded by Solberg, and carried to approve the minutes of the June 2, 2014 meeting.

PUBLIC COMMENTS – Mark Kinney, Tom Bilse, Paul Varsho, Ruth Martinson, Johanna Clark, Pete Heimdahl and Bill Olson spoke in support of the formation of a lake district.

Matt Carter, Executive Director of the Dunn County Historical Society, announced that he was available for questions relating to the event request at Wakanda Park on August 16, 2014.

Neil Koch spoke about working together and the need for adequate funding to proceed with programs to work towards a cleaner lake.

Ron Verdon, President of the Tainter Menomin Lake Improvement Association, spoke in opposition to creating a lake district.

MOTION was made by Cruz, seconded by Luther, and carried to waive the rules to allow additional time for public comments.

Dick Lamers, Past President of the Tainter Menomin Lake Association, and Chair of the Red Cedar Conference, spoke in opposition to creating a lake district and urged the agencies to work together to improve the quality of the lake.

MOTION was made by Cruz, seconded by Schwebs, and carried on roll call vote with Solberg opposed to prepare a resolution based on the draft resolution and map proposed by the Friends of the Red Cedar Basin, and present it to the City Council for consideration before August 15, 2014.

LICENSE SUSPENSION HEARING - Mayor Knaack announced time for the hearing to consider the suspension of the Class “B” Beer license of T J Food Service LLC (dba Perkin’s Restaurant & Bakery).

MOTION was made by Luther, seconded by Solberg, and carried that the facts alleged in the Complaint issued in this matter are found to be true and to suspend the Class “B” Retail License for the sale of fermented malt beverages that was previously issued by the City of Menomonie to T J Food Service LLC (Perkins, 1720 North Broadway, Menomonie, WI), commencing on the 17<sup>th</sup> day of June, 2014, at 2:00 a.m. and terminating on the 22<sup>nd</sup> day of June, 2014, at 6:00 a.m.

MOTION was made by Traxler, seconded by Cruz, and carried to approve the request from the Dunn County Historical Society to sponsor a charity softball game at Wakanda Park on Aug. 16, 2014.

MOTION – the following motion was made by Solberg and seconded by Luther: Direct Mayor Knaack to pass these emails onto the District Attorney’s office for further review and possible investigation. I would further direct Mayor Knaack to initiate an open records request to go back 24 months for all electronic correspondence, to include phone records. This will include e-mails on personal e-mails, city emails, and e-mails at employment e-mail addresses as was evidenced in the emails that were included in our packets, for Councilmembers Riedel and Brown.

MOTION was made by Traxler to call the question and failed for lack of a second.

ORIGINAL MOTION carried on the following roll call vote: Ayes: Luther, Traxler, Sutherland, Schwebs, Solberg and Erdman. Noes: Brice, Riedel, Cruz and Mercil.

ORDINANCE regarding night-time operation of vehicles or snowmobiles on city bodies of water was introduced by Solberg. MOTION to waive the first reading of the ordinance was made by Schwebs, seconded by Traxler, and carried. MOTION to waive the second reading was made by Traxler, seconded by Sutherland, and carried. MOTION to adopt the ordinance was made by Solberg, seconded by Sutherland, and carried.

BIDS were received for the Kothlow Avenue and Nicholas Drive street extension project as follows:

Heartland Contractors	\$252,802.15
RM Schlosser	\$264,918.25
A-1 Excavating	\$298,294.00
Pember Companies	\$299,427.25
Haas Sons	\$302,907.10

MOTION was made by Schwebs, seconded by Cruz, and carried unanimously on roll call vote to accept the bid of \$252,802.15 from Heartland Contractors for the Kothlow Avenue and Nicholas Drive street extensions, contingent upon receipt of bonds and insurance.

QUOTES were received for replacement tasers and optical sights equipment for the Police Department as follows:

TASERS – Taser International - \$33,418.00  
OPTICAL LIGHTS / SIGHTS FOR RIFLES – Optics Planet - \$6,495.00; Brownells, Inc. – \$6,599.85; Streicher’s - \$6,864.65

MOTION was made by Cruz, seconded by Luther, and carried unanimously on roll call vote to accept the quote of \$33,418.00 from Taser International for the tasers; and the quote of \$6,495.00 from Optics Planet for optical lights/sights for the Police Department rifles.

MOTION was made by Solberg, seconded by Traxler, and carried unanimously on roll call vote to accept the 2014 Menomonie Battalion Chief’s contract agreement which includes a 2% wage increase.

APPOINTMENT – MOTION was made by Schwebs, seconded by Erdman, and carried to accept the Mayor’s recommendation and appoint Josh Risler to the Historic Preservation Commission to complete the term of Dave Micek (through April 1, 2015).

BUDGET TRANSFER – MOTION was made by Solberg, seconded by Brice, and carried unanimously on roll call vote to approve the transfer of \$250 from Information Technology 01.51360.243 Office Equipment Maint. Contract to 01.51360.476 Materials & Supplies.

COMMUNICATIONS – Councilmember Cruz questioned the status of the committee which was to be formed to bring back recommendations relating to Council meeting agenda preparation. Mayor Knaack said he would provide information at the next Council meeting relating to committee membership. The May activity report from the Building Inspection Department was included in the agenda packet, and an announcement was made that the wage schedule information for the Paid on Call Firefighters will be on the next agenda.

CLAIMS - MOTION was made by Cruz, seconded by Luther, and carried unanimously on roll call vote to approve payment of the following claims:

<b><u>Claims</u></b>	
Auto Value	\$ 5.44
Bartingale Mechanical Inc.	5,130.00
Bopray Environmental Services	1,650.14
Commonweal Development Corp.	3,000.00
Diggers Hotline	130.50
Elk Mound Seed Co.	159.80
Eric Bauer Transport	4,114.31

Fabco Equipment	12,458.41
FleetPride	214.14
General Communications	2,559.60
HD Supply Waterworks	1,450.00
Highway Construction Products	1,411.22
Indianhead Truck Equipment	2,109.63
Northtown	27,533.50
Northtown	26,864.00
SRF Consulting Group	8,666.72
U.S. Postal Service	481.98
Utilitec	266.49
Visual Communications	6,088.00
WI DNR	125.00
WI DOT	5,240.78
Xcel Energy	52,262.61

LICENSES - MOTION was made by Luther, seconded by Solberg, and carried to approve the following license list:

**LICENSE YEAR - 2014 / 2015 (expires June 30, 2015)**

**CLASS “A” BEER:** Wal-Mart Stores East, LP (Wal-Mart #1819 – 180 Cedar Falls Road).

**CLASS “B” BEER & “CLASS B” LIQUOR:**

Cancun Mendez Nunez, LLC (Los Cabos – 2401 Hwy. 25 North, Unit 202);

Dunn County Fish & Game Association (Dunn County Fish & Game Club – 1600 Pine Ave.)

Subject to Final Inspection;

Menomonie Lodge No. 1584 Loyal Order of Moose, Inc. (Menomonie Moose Lodge 1584 – 720 19<sup>th</sup> Ave. E.) Subject to Final Inspection;

The Mabel Tainter Literary, Library and Educational Society (Mabel Tainter Center for the Arts –205 Main Street East);

MVP Management and Investment, LLC (The Den – 613 S. Broadway) CONTINGENT UPON FULL PAYMENT OF DELINQUENT TAX OBLIGATIONS AT 2616 HARVEY DRIVE SW AND 520 19<sup>TH</sup> AVENUE W.

WMJ, Inc. (Flame Lounge – 619 S. Broadway).

**CABARET:** Dunn County Fish & Game Association (Dunn County Fish & Game Club – 1600 Pine Ave.);

Menomonie Lodge No. 1584 Loyal Order of Moose, Inc. (Menomonie Moose Lodge 1584).

**CIGARETTE:** St. Croix Tobacco, Inc. (Smokedale Tobacco – 2521 Hils Ct, Suite D); Wal-Mart Stores East, LP (Wal-Mart #1819).

**MASSAGE THERAPY FACILITY:**

Clear Massage, LLC (Beth A. Shields) 1101 Tainter St., Suite C;

Linda Capra (Helios Center) 815 Main St - SUBJECT TO FINAL INSPECTION & CERTIFICATE OF INSURANCE;

Menomonie Chiropractic Center, S.C. (Dr. David G. Hackbarth, DC) 3120 Schneider Ave. E., Suite #5;

Rejuvenate Salon and Spa, LLC (Katie Kersten) 394 Red Cedar Street, #2 - SUBJECT TO FINAL INSPECTION & CERTIFICATE OF INSURANCE.

Nancy J. Erickson (dba Dejavu Salon and Spa) 1700 Tainter St. Plaza, Suite #D SUBJECT TO FINAL INSPECTION;

Light Touch Therapeutic Massage (Leslie J. Norris) 1414 10<sup>th</sup> Ave E.

**OPERATORS:** Brittany R. Armstrong; Derrick J. Arntz; Sue Ann F. Babbitt; Mary A. Baskin; Danica D. Bonine; Amy N. Bosco; Holly L. Brummer; Dale W. Buck; Jonathan F. Buck; Shane A. Bueling; Christopher M. Carpenter; Casandra L. Carroll; Michael J. Choronzy; Betty E. Cran; Rebecca C. DeLorge; James M. Dixon; Vicki M. Doig; Samantha P. Donegan; Jena M. Down; Karen R. Evenson; Bart D. Fansler; Emily L. Fochs; Brittney L. Foss; Charliene M. Frey; Blake A. Friedli; Elizabeth A. Frisbie; Patrick A. Fritz; Melody H. Gaede; Terry T. Gall; Amber E. Georgakopoulos; Gina R. Gigot; Benjamin R. Greenlee; Megan A. Haglund; Heidi L. Halverson; Matthew M. Hauser; Jared J. Hines; Deborah L. Hoffman; Kamie J. Hoover; Darin A. Hurtgen;

Renee E. Kelsey; Michelle A. Kennedy; Emily E. Kersting; Rachel L. King; Gary T. Kostuch; Heather J. Kusmider; Samantha M. Larson; Brittney N. Louthier; Christina A. Martin; Elizabeth A. Merrill; Colton J. Mikula; Daniel L. Millard; Kristi A. Morrison; Jennifer R. O'Bryan; Sarah J. Olson; Christopher R. Parker; Jeff A. Peabody; Carly L. Pettingill; David L. Pfeiffer; Harvey J. Probst; Elaina M. Purdy; Desire R. Quast; Cindy M. Quilling; Rachel F. Radzak; Jennifer J. Rentmeester; Teresa M. Rosendahl; Brenda J. Roth; Kristen K. Schlough; Heidi M. Speikers; Chelsie A. Steinmeyer; Adam J. Stewart; Zachary T. Vierling; McKenna I. Vinall; Charles E. Wagener; Shelby N. Webber; Jeffrey C. Wise; Samantha K. Wolfbauer; Tara J. Wolfe; Jake D. Arvold; Nicholas E. Arvold; Michael R. Brown; Max M. Dalton; Lisa M. Fregine; Matthew R. Frei; Arla F. Graff; Nicholas R. Huston; Tyler C. Kincaid; Anna L. Kopp; Michael M. LaPean; Nathan T. McKeeth; Aaron J. Meidl; Kati M. Mueller; Tara K. Pichelmeyer.

**SOLID WASTE COLLECTION:**

Menomonie Disposal Systems, LLC (Douglas Gowland);  
ProVyro Waste Services, LLC (Joseph Craven & Andrew Holland).

*The following **Temporary Class “B” Beer licenses** have been issued by the City Clerk, after review by the City Administrator and Mayor:*

Greater Menomonie Area Chamber of Commerce, Wakanda Park-Lower Park Beach Area, 7/04/14 (FreedomFest); Menomonie Public Library Foundation, 600 Wolske Bay Rd., 7/23/14 (Foundation Donor Reception); and Menomonie Firefighters Local 1697, Wakanda Park, Diamonds 4, 5 & 6, 8/23/14 (“Kick MD” Kickball Tournament).

MOTION to convene in closed session under Wisconsin Statutes 19.85 (1) (c), (e), and (g) for the purpose of considering employment, promotion, compensation or performance evaluation data of any public employee over which the government body had jurisdiction or exercises responsibility; deliberating or negotiating the purchase/sale of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session; conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved was made by Schwebs, seconded by Erdman, and carried unanimously on roll call vote.

MOTION to return to open session was made by Cruz, seconded by Traxler, and carried unanimously on roll call vote.

No action was taken.

MOTION to adjourn was made by Luther, seconded by Cruz, and carried.

JoAnn L. Kadinger, City Clerk